



976646

MAY 03 1984

Jack Waaler, Esquire  
Waaler, Evans & Gordon  
2503 South Neil Street  
Champaign, Illinois 61820-7798

Re: Estate of James E. Campbell, Non-responsive, 6

Dear Jack:

Enclosed is a copy of the executed administrative order for this matter. I assume representatives of the Illinois Environmental Protection Agency will contact you regarding future soil sampling at the site.

I appreciate your efforts in resolving this matter. If you have any questions please call me at (312) 886-6839.

Sincerely,

Pierre Talbert  
Assistant Regional Counsel

cc: Virginia Yang, Esquire  
Illinois Environmental  
Protection Agency

bcc: George Madany, SESD

Bill Miner, SWMD

1. In June 1982, authorized representatives of EPA and the Illinois Environmental Protection Agency (IEPA) conducted a site inspection of the former Campbell-Odell Paint Company (Site) in Mahomet, Illinois. The site is property owned by the Estate of James E. Campbell, Non-responsive, 6 At the time of the EPA-IEPA inspection the following site conditions were observed: the site consists of a vacated thirty feet by sixty feet metal shed on a developed parcel of real estate bounded on the north by the Peoria & Eastern Railroad, on the west by Illinois State Highway 47, on the east by a building of undetermined dimensions and on the south by a secondary road. Within close proximity to the Site are four bulk gasoline/oil storage tanks. Residences are within 200 feet of the Site. Access to the Site is unrestricted. Approximately eighty 55-gallon drums of waste paint and adhesive located in three locations were observed. The drums were in various stages of deterioration.

2. In May 1983, the Site was again inspected by EPA and IEPA representatives and the following conditions were observed: the approximately eighty 55-gallon drums of paint and adhesive wastes remained at the Site. An unidentified number of the drums were located within ten feet of the bulk gasoline/oil bulk storage tanks. Approximately thirty-five drums were leaking their contents into the environment. Some of the drums were sampled to determine the flash point of their contents. Analyses of the drum samples showed that the flash points of the drum contents ranged from 73° to 105° fahrenheit.

3. At the time of the May 1983 inspection, EPA and IEPA suggested that due to the risk of fire and explosion presented by the drums' contents and the condition of the drums all of the drums should be moved into the vacated metal shed at the Site. CNB representatives arranged for the drum relocation and eight-six 55-gallon drums of waste materials were moved to the metal shed.

4. In January 1984, authorized representatives of EPA and IEPA re-inspected the Site and determined that the subject drums and their contents are stored atop a plastic sheet liner in the Site's metal shed. Those representatives determined that the paint and adhesive wastes stored at the Site are hazardous substances within the meaning of section 101(14) of CERCLA. Those same representatives also determined that due to the volatile characteristics of those alleged hazardous substances and the unsuitability of the present method of storage of such substances the Site poses a substantial risk of fire and explosion, hence substantial risk of harm to the public health and welfare.

5. Because EPA and IEPA insisted that the waste paint and adhesives constituted hazardous waste, and insisted upon their expeditious removal, CNB agreed to arrange for proper removal and disposal of the alleged hazardous substances at the Site to be accomplished no later than February 27, 1984, in a manner approved of by EPA and IEPA. (Contract, Attachment A).

#### ORDER

Based upon the foregoing Findings and Conclusions it is hereby Agreed and Ordered as follows:

1. Champaign National Bank, Administrator with Will Annexed of the Estate of James E. Campbell, Non-responsive, 6, shall properly remove, transport and dispose of the eighty-six drums of hazardous paint and adhesive wastes and plastic sheet liner (hazardous substances) now located at the former Campbell-Odell Paint Factory in Mahomet, Illinois. Such removal, transport and disposal of the hazardous substances shall be performed in accordance with the terms of an agreement entered into between Champaign National Bank and Mid-America Environment Service, Inc. (MAES), such agreement and its terms incorporated by reference herein. (Attachment A).

2. Champaign National Bank shall notify EPA of the performance of its agreement with MAES no later than March 10, 1984. Such notification shall be sent, certified mail, return receipt requested, to:

Pierre Talbert  
Assistant Regional Counsel (5C-16)  
United States Environmental Protection Agency  
230 South Dearborn Street  
Chicago, Illinois 60604

3. Champaign National Bank shall allow when weather conditions permit, authorized representatives from EPA or IEPA to sample soils at the Site to determine whether the soils have been contaminated by the presence of the subject paint and adhesive wastes. In the event that Site soils are contaminated, Champaign National Bank shall consult with EPA and IEPA to determine whether response action is necessary to mitigate the hazards presented by such contaminated soils and take response action as agreed by the parties. Any response action to remove contaminated soils at the Site shall have the approval of EPA and IEPA prior to initiation of such action.

4. All actions required to be taken pursuant to this Order shall be undertaken in accordance with the requirements of all applicable local, state and federal laws and regulations. In the event there is a conflict in the application of federal or state laws or regulations, the more stringent of the conflicting provisions shall apply.

5. Nothing contained in this Order shall preclude EPA from issuing additional Orders or taking response action pursuant to CERCLA, 42 U.S.C. 9601, et seq., at the Site if circumstances so warrant.

Agreed to this 2<sup>nd</sup> day of April, 1984.

CHAMPAIGN NATIONAL BANK  
Administrator with Will Annexed  
of the Estate of James E.  
Campbell, Non-responsive, 6

By:   
ITS S.R.V.P. T.O.

Agreed to this 30<sup>th</sup> day of April, 1984.

UNITED STATES ENVIRONMENTAL  
PROTECTION AGENCY

By: Alan Levin (Acting)  
Valdas V. Adamkus  
Regional Administrator